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August 16, 2022

VIA ECF

Hon. Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 618
New York, New York 10007

MEMO ENDORSED

RE: Michael Kelley v. Kenneth Park Architect PLLC
Case No: 1:22-cv-2712-KPF (S.D.N.Y.)

Dear Judge Failla:

We represent the plaintiff Michael Kelley ("Plaintiff") in the above-referenced action against the defendant Kenneth Park Architect PLLC ("Defendant"). The parties' initial pretrial conference is currently scheduled for August 16, 2022. ECF No. 9. The deadline for Defendant to answer or otherwise respond to the Complaint was July 7, 2022. ECF No. 10. Defendant has yet to have counsel enter an appearance in this matter and has yet to respond to the Complaint. Nor has Defendant responded to communications from Plaintiff regarding the case and settlement.

In light of the forgoing and in accordance with Section II.B of Your Honor's Individual Practices, Plaintiff seeks a 30-day adjournment of the initial pretrial conference. In the event Defendant has not obtained counsel and answered the Complaint within the next 14 days, Plaintiff intends to move for a default judgment.

Sincerely,

/s/R. Terry Parker

cc: Kenneth Park Architect PLLC (via email)

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Application GRANTED. The initial pretrial conference is hereby ADJOURNED to **September 28, 2022, at 10:00 a.m.** If Plaintiff moves for a default judgment prior to that date, the Court will adjourn the conference *sine die*.

The Court will provide a copy of this endorsement to Defendant via email. The Clerk of Court is directed to terminate the motion at docket entry 11.

Dated: August 16, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE